

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

S. WATARI et al

Serial No. 10/091,425

Group Art Unit: 2878

Filed: March 7, 2002

Examiner: D. Meyer

For: APPARATUS FOR AUTOMATICALLY DETECTING SIZE TO BE  
DETECTED AND AUTOMATIC ANALYZER USING THE SAME

**INFORMATION DISCLOSURE STATEMENT (IDS)**  
**UNDER § 1.97 AND § 1.98**

Commissioner for Patents  
Mail Stop DD  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

February 19, 2004

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a Credit Card Payment Form in the amount of

\$180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed (needed for U.S. and foreign patents, publication or portion thereof listed; no copy of a U.S. patent application is needed; a copy of a document is not needed when previously submitted or previously cited by the PTO in a parent application of the present application as set forth under 35 U.S.C. § 120).

4. The undersigned hereby states:

☒ (a) that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application, as indicated on the copy of the communication submitted herewith, which communication was dated not more than three months prior to the filing of this IDS; or

(b) that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.

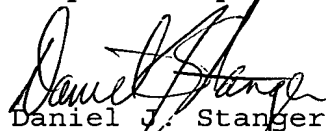
5. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417. A duplicate of this sheet is attached.

6. For the following document(s), a concise explanation of the relevance is provided since each is not in the English language, not discussed in the present Specification, and not cited in a communication from a foreign patent office in a counterpart foreign application.

7. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that

the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel J. Stanger", is written over the typed name.

Daniel J. Stanger  
Registration No. 32,846  
Attorney for Applicant(s)

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Date: February 19, 2004

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
NIT-335SERIAL NO.  
10/091,425**LIST OF DOCUMENTS CITED BY APPLICANT**  
(Use several sheets if necessary)APPLICANT  
S. WATARI et alFILING DATE  
March 7, 2002GROUP  
2878**U.S. PATENT DOCUMENTS**

* EXAMINER INITIAL	DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
AA	5,420,408	05/30/95	Weyrauch et al			
AB	5,672,317	09/30/97	Buhler et al			
AC	5,818,976	10/06/98	Pasco et al			
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
AL	2 379 801	09/01/78	France			<input type="checkbox"/>	<input type="checkbox"/>
AM	0 903 681	03/24/99	Europe			<input type="checkbox"/>	<input type="checkbox"/>
AN	199 11 351	09/21/00	Germany (with English abstract)			<input type="checkbox"/>	<input type="checkbox"/>
AO	2000- 105247	04/11/00	Japan (with English abstract)			<input type="checkbox"/>	<input type="checkbox"/>
AP	2000- 283824	10/13/00	Japan (with English abstract)			<input type="checkbox"/>	<input type="checkbox"/>

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

AR		
AS		
AT		

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.